Superior Court of Arizona	
in Maricopa County	

En Banc

June 2002

Newsletter of the Superior Court Law Library

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En Banc
Newsletter of the
Superior Court Law
Library

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Law Library News

Library Staff

You may have noticed a new face at the Reference Desk. Barbara Moren comes to us from Fort Bend County, Texas where she managed the Adult Service Department of the main branch of the county library. Barbara also worked as reference department manager and librarian at the town library in Stratford, Connecticut.

Barbara received a B.S. from Purdue University and her M.L.S. from the University of North Texas. She enjoys reading, gardening and outdoor activities.

Celina Melgoza Marquez is one of our newest library aides. Celina was born in La Piedad Michoacan, Mexico but grew up in Guanajuato, the City of Frogs or the City of the Mummies. She worked at the University of Guanajuato for six years. One of her responsibilities was to receive students and faculty members from the United States traveling to Guanajuato, either to study or for work reasons. She especially enjoyed the work because it allowed her to meet people who were eager to learn about Mexico and Mexican culture. Celina assisted a professor with a summer study abroad program and ended up with a scholarship to study English for three weeks at West Virginia University. Those three weeks ended up being seven years! After acquiring the language and being accepted at the University, she graduated with a B.A. in Spanish Education and continued with an M.A. in TESOL, Teachers of English to Speakers of Other Languages. Celina worked for five years at the

Intensive English Program as a Special Programs Assistant and, for two years, taught English as a second language. She found the experience to be "delightful." Celina has been in Phoenix now since last January and enjoys working here at the library. She says "it has opened a new horizon for me, which has become my personal interest to learn more about what we can give, because that is what the Law Library is about to give and guide."

Continuing Legal Education

Did you know The State Bar of Arizona offers online learning seminars you can attend from your home or office, day or night, throughout the year! There are two types of online courses: asynchronous and synchronous. The asynchronous courses (where the participants are not online at the same time) are ones in which you can direct the pace of the program and includes interactive case studies and simulations. The synchronous courses (where participants are all online and communicating at the same time like a chat room) will be set up as question answer sessions with experts to lead discussions. Check out the State Bar of Arizona web site for more details and registration information. http://www.azbar.org/cle/

Superior Court Update

If you haven't already done so, you should stop by the lobby of the East Court Building and check out the colorful, eye-catching display about the Drug Court. After 10 years as one

of the country's first drug courts, Maricopa County's Drug Court deserved some special recognition. The Drug Court Alumni Group came up with the idea of putting together a display in the East Court building to showcase what Drug Court is all about. The display explains Drug Court's mission to help people regain control of their lives and it is hoped that it may provide inspiration to court visitors who are touched by the problems of addiction.

The artwork in the case was created by Drug Court participants to satisfy their community service requirements. Drug Court graduates and Drug Court judges were asked to comment on what the experience meant to them. Their observations are funny. touching and heartfelt. The display also provides information about the harmful effects of drugs on the body and mind as well as some very interesting statistics about drug courts and the participants. You can also see some of the products the participants make like "flying carpets" and receiving blankets. The display case was a "labor of love" from its main contributors, **Drug Court Clinical Supervisor** Carey McGrath, Drug Court participants Meagan Longtin and Eric Dixon and Judge Colleen McNally.

Did You Know?

- 1. In Glendale, cars may not be driven in reverse.
- 2. Cards may not be played in the streets with a Native American in Globe.
- 3. The city of Hayden will fine you if you bother the cottontails or bullfrogs.
- 4. In Mohave County, a decree declares that anyone caught stealing soap must wash himself with it until it is all used up.

5. A Tombstone ordinance made it illegal for men and women over the age of 18 to have less than one missing tooth visible when smiling.

(Source: www.dumblaws.com)

Electronic Resources

Law Library Web Page

In an effort to give Maricopa County Superior Court websites a more streamlined appearance, the Law Library is in the process of updating its site. The new site will be more aesthetically pleasing and easier to navigate.

In addition to the current features, the site will have a map that indexes all the Law Library's pages, a help menu and searching tools. It will also contain a side navigation menu with links to the various sections of the Law Library website such as Law Library publications and policies.

Users will have the option of viewing the Law Library publications in browser form (as an active server page) or using Adobe Acrobat Reader. Other benefits of the revised site are its ease of use and regularly updated information that has the date of the last update at the bottom of the page.

It also includes helpful information for all visitors such as office hours, maps with directions to our facilities, lawyer directories and law related resources.

The Law Library's page will look similar in format to the Adult Probation and Civil Department of the Superior Court. The library's Online Catalog is currently updated and can be viewed at

http://lawlibrary.maricopa.gov/webpa c-bin/wgbroker?new+-access+top.

The Superior Court site has links to all county departments. The remainder of the Law Library's revamped pages should be uploaded to the server in the near future.

Computer Resources

Hein On-Line Update

During the month of May, Hein On-Line increased its coverage of legal journals by 209,000 pages. The goal of this project by William S. Hein, Inc., Cornell Information Technologies, and the Cornell University Law Library is to provide back issues of all indexed legal journals on the Web. At this time, the database offers over 190 journal titles and over 4 million pages. At the start page, users may search by author, title, or full text, browse journals, authors, or titles, or select journal title and issue. The pages are printable from pdf format. Help screens are available.

Hein On-Line is available within the Law Library or the Court complex, through our website with a valid Law Library card, or on the Court Wide Web.

New Titles in Hein On-Line

Canadian Law Libraries--Vols.15-19 (1990-1994)

Columbia Jurist--Vols. 1-3 (1885-1887)

Connecticut Law Review--Vols. 1-33 (1968-2001)

Houston Law Review--Vols. 1-38 (1963-2002)

International Legal Materials--Vols. 21-30 (1962-1991)

Lincoln Law Review--Vols. 1-6 (1927-1932)

Michigan Law Review--Vols. 89-98 (1990-2000)

Military Law Review--Vols. 127-170 (1990-2001)

New York University Journal of International Law and Politics--Vols. 1-33 (1968-2001)

New York University Journal of Legislation and Public Policy--Vols. 1-4 (1997-2001)

Pepperdine Dispute Resolution Law Journal--Vol. 1 (2000-2001) Scribes Journal of Legal Writing--Vols. 1-7 (1990-2000)

Solar Law Reporter--Vols. 1-3 (1979-1982)

Student Law Review. New York Law School -- Vols. 1-2 (1951-1953)

Virginia Journal of International Law--Vols. 1-41 (1960-2001)

All journals currently available or in production may be found at http://heinonline.org

Internet Site Reviews

Coaching for Lawyers www.coachingforlawyers.com

Question: What do Franz Kafka, Charlie Rose, John Grisham and Bing Crosby have in common? Answer: They're all lawyers who decided to follow other career paths.

Coaching for Lawyers is a web site designed for attorneys who want to examine their careers and lives. Daniel Roberts J. D., P.C.C., has been practicing law since 1973 and coaching lawyers since 1997. He is a graduate of Coach University and is a Professional Certified Coach. According to Roberts, attorneys need someone to talk to who is "not a partner, spouse or friend, but someone whose only job is to help us plan our careers, set goals for our practice and stay on track".

Visitors to his site begin by taking a "Lawyer's Life" assessment test. Questions deal with job satisfaction, profitability, future prospects, work environment, productivity and "life balance" issues. Lawyers are asked to agree or disagree on a scale of 1 – 10.

Just as a team coach keeps his athletes focused and "on track", Roberts offers attorneys a chance to receive the support and direction they need to become the best attorneys they can be.

Publications of Interest on the Internet

Drug Courts in California: How are They Doing? Drug Court Partnership Act of 1998, Chapter

1007, Statutes of 1998, Final Report.

The California Department of Alcohol and Drug Programs and the Judicial Council of California, Administrative Office of the Courts, March 2002 at http://www.courtinfo.ca.gov/reference/documents/dc_partnership.pdf

California opened its first drug court in 1993; there are now 143. The drug courts primary goal is to promote the sobriety and the accountability of their participants. They focus on early identification and placement in treatment and rehabilitative services. Services are provided in a non-adversarial manner and are accompanied by ongoing judicial monitoring.

Approximately 3000 participants completed the program during the study period covered in this report, January 2001 to September 2001. They were primarily hard-core substance abusers with a long history of abuse and arrests, social difficulties and low educational achievement.

The effects of the drug courts on the community and the participants were quantified. Results included but were not limited to:

Arrest rates were 85% lower. Conviction rates were 75% lower. 75% of participants were employed when they completed drug court. 31% of participants were reunited with their families.

95% of all babies born to mothers in the program were drug-free.

The cost-effectiveness of the program was also measured:

Total cost of the drug court program was \$22.1 million.

425,014 jail days were avoided, saving \$26 million.

227,894 prison days were avoided, saving \$16 million.

Participants completing the program paid \$1 million in fees and fines.

Overall, results of the study indicate that the drug courts provided safer communities at lower costs. Participants had diminished rates of

arrest, conviction and incarceration and generally lived better lives.

In the Courts

Recent Arizona Cases

Michael M. v. A.D.E.S., 369 Ariz. Adv. Rep. 20 (3/19/02).

In March, Division Two Court of Appeals reversed a ruling that barred a man from having visitation rights to his newborn child in prison.

A parent's right to the care, custody, and management of his or her children is a fundamental, constitutionally protected right. Stanley v. Illinois, 405 U.S. 645 (1972). This fundamental right does not disappear if the parents lose temporary custody of his or her child to the state. Moreover, courts have held that incarcerated parents have the right to reasonable visitation with their children.

In this case, Michael M., the father, established paternity with the Court. Michael M. was arrested and charged with credit card fraud. He was incarcerated in the Pima County Jail. Michael M. filed a request for visitation of his child. Counsel for A.D.E.S. stated that visitation at the prison was not in the child's best interest. The Pima Count Court agreed and denied visitation at the prison. The Appeals Court did not find enough justification to refuse Michael M.'s request for visitation at the prison, so it reversed the lower court's order.

Hass v. Colosi, 368 Ariz. Adv. Rep. 8 (2/28/02)

In February the Arizona Court of Appeals, Division One held that juvenile court can appoint public defenders to represent indigent juveniles charged with incorrigibility offenses.

An incorrigible child, as defined in A.R.S. § 8-201, is one who refuses to

obey parental directions, fails to attend school, runs away from home, fails to obey court orders, etc..

The Maricopa County Public Defender's office filed motions with the court for withdrawal of representing three juveniles charged with incorrigibility offenses. Their reasons to withdraw from the cases were that incorrigibility offenses lack incarceration time and juvenile court lacked the statutory authority to require them to represent them under A.R.S. § 11-584 and § 8-221.

The Court of Appeals held that wording in the statutes might be unclear but the meanings of the statutes are not ambiguous. The Court ruled that the juvenile court can require the public defender's office to represent indigent juveniles charged with incorrigibility offenses. However, the Court of Appeals stated that the juvenile court must exercise sound discretion in determining those occasions to appoint a public defender.

From Other Jurisdictions

Ashcroft v. Free Speech Coalition, (U.S. Supreme Court, 2002)

On Monday, April 16, 2002, the Supreme Court ruled that Congress is prohibited from regulating child pornography on the Internet because it violates the First Amendment. The First Amendment protects people from the government interfering with the freedom of speech and applies to the states through the 14th Amendment. To regulate speech the government must meet the strict scrutiny test, which requires the law to be necessary to achieve a compelling government purpose.

In this case, the government tried to argue that it had a compelling interest to regulate the speech of child pornography on the Internet because of the overriding interest in protecting children. However, the Court determined the law was broad and general in it's regulation. In addition, the Court reinforced the strength of the First Amendment holding that Congress is prohibited from banning images of speech merely because it offends people. Federal and state prosecutors will still be able to charge and incriminate people for child pornography under the previous obscenity statutes.

United States of America v. Okafor U.S. Ct. of App. 9th Cir., April 4, 2002.

On April 4, 2002 the 9th Circuit affirmed a ruling that law enforcement could use routine means to conduct a search.

The 4th Amendment of the U.S. Constitution states that people should be free from unreasonable search and seizures from the government. The government is required to obtain a warrant to meet an expectation to the 4th Amendment to make the search or seizure reasonable.

In this case, the defendant, Okafor, had a lay over in Los Angeles, CA. while his plane refueled. Agents become suspicious of Okafor after talking to him. The agents proceeded to search Okafor's carry on bag and had his luggage removed from the plane. Agents sensed the luggage was heavier than it looked, thus giving them reason to believe it had a false bottom. Agents proceeded to X-ray the bag and insert a small probe into it. The X-ray revealed the bag had a false bottom and the probe revealed a white powder substance in the false bottom, which was cocaine. Okafor claims his 4th Amendment rights were violated because of the agent's search of his luggage.

The 4th Amendment does not apply to the international border crossing. Because Okafor was at a border checkpoint the 4th Amendment did not apply to him. However, the border search must be routine to be valid. Okafor argued that both the X-ray and

scope were non-routine inspections and made the search to his luggage invalid. The Court considered that both of the inspections were non-intrusive to Okafor and valid under the 4th Amendment.

New in the Library

Book Reviews

Lawrence, Frederick M. Punishing Hate: Bias Crimes Under American Law Harvard University Press KF9345 .L39 1999

"A bias crime is a crime committed as an act of prejudice." So says Mr. Lawrence in his book entitled Punishing Hate: Bias Crimes Under American Law. What is a bias crime? That is just part of what Mr. Lawrence hopes to answer for you in his book. A brief look at the table of contents will show the reader just what to expect from this book - questions that one would ask of crimes of this sort. How are bias crimes different from other crimes? Who is quilty of bias crimes? Are bias crime laws constitutional? Legitimate questions to be asking. Mr. Lawrence uses analysis of real crimes committed throughout the last couple of decades to illustrate his points, as well as to help the reader understand his thought process. Each of the chapters are logically laid out, much like a road map Mr. Lawrence says, so that the reader can come to a better understanding of this type of crime. First he explains what it is. Then he turns to the legal aspect of the crime and analyzes two models that become the framework for most state statutes. Finally, he attempts to answer what he feels are three fundamental questions regarding bias crimes. What are those questions? Read the book. You'll find out.

Supreme Court Justices Biographies

A quick glance of the new titles acquired list in this issue of En Banc and the reader will note a large selections of titles dealing with

Supreme Court justices. Not Arizona justices, mind you, but United States Supreme Court iustices. Here's one just a couple of titles into the list: Brodhead, Michael J. David J. Brewer: The Life of a Supreme Court Justice, 1837-1910. I found one on Justice Powell -Jeffries, Jr., John C. Justice Lewis F. Powell, Jr.: A Biography. I even pulled the book on Justice Black to look at (Newman, Roger K. Hugo Black: A Biography). This one starts off with Justice Black's funeral! The book is very sensibly laid out - as any good biography should be. It starts at the beginning and leads the reader through the chronological lay out of Justice Black's life. Most of the book naturally focuses on Justice Black's term of office on the bench. Mr. Newman divides Justice Black's Supreme Court term into three sections: 1937-1949, 1949-1962, 1962-1971. Also, one chapter of Mr. Newman's book looks at allegations that Justice Black was involved with the Ku Klux Klan when he was a senator. It's an interesting book. You really should read it.

Which leads me to: where will you find it? The call number for Mr. Newman's book is Court Admin. KF 8745 .B55 N49 1997. Court Admin? What's that? Where's that? Court Admin, is a new collection that we have started here at the library. The Court Administration collection focuses on...well. courts and items related to courts. Court Administration, court histories, caseflow management, juries, statistics, pro se programs, judicial issues, etc. The list goes on. On the third floor (yes, I know, who goes to the third floor anymore?!) in the hallway are several very nice cabinets (more are on their way). The library purchased these cabinets to house the Court Admin. collection. Books from the second floor that fit into our concept of this collection will be housed in these cabinets. When all is said and done the cabinets will line the north wall of the hallway

between the elevator and the stairs. The pictures of the presiding judges will be rehung. The collection will be accessible on our catalog via a separate search function. For those readers that work for the court. exciting new features related to this collection will appear on our Intranet page. Some journals, previously only accessible via a librarian, will be housed within this collection. Once we are finished with this collection, I'm sure that our readers will be happy with our product. If you aren't, well, come tell us why and how we can make it better. Just remember, we aren't done yet.

Article Reviews

Brader, Liam. "Korematsu's Ghost: A Post-September 11th Analysis of Race and National Security." 47 Villanova Law Review 451 (Issue #2, 2002).

Because of the events of September 11, 2001, for the first time since World War II, two constants of constitutional interpretations have once again come into conflict with each other: a) the "unwavering invalidation of racial discrimination" and b) the "vitally needed deference to the government in times of national emergency and war."

In 1944-45, Fred Toyosaburo
Korematsu was tried and convicted of
"remaining in a portion of a military
area from which persons of Japanese
ancestry had been ordered excluded."
The Supreme Court denied him a
rehearing and confirmed his
conviction. This case lost the battle
between these two constitutional
interpretations. Brader believes that
adopting racial profiling in the war on
terrorism is "a practice that is
unimpeded by both past and present
constitutional doctrine."

In the weeks and months following September 11th, the debate has resurfaced because of the desire to find the terrorists and prevent them from doing more damage than they have already accomplished. In order to achieve this goal law enforcement officials and legislators are reconsidering the usefulness of racial profiling. Other countries, such as Israel, have used racial profiling in a very effective manner to prevent such attacks. El Al, Israel's national airline, has not had a hijacking in more than 30 years, because they use racial profiling extensively. This profiling involves arrest or detention and random questioning of passengers and people who are in the airport area.

In the two weeks following the attacks on the World Trade Center and the Pentagon, more than 500 people were arrested or detained. In Whren v United States, the Supreme Court severely limited Fourth Amendment challenges due to racial profiling in favor of equal protection claims. Classifications based on race are traditionally actionable under the Equal Protection Clause, yet, this case still leaves an opening for an officer to perform a stop for racial reasons only. Most debaters would agree that detention for no other reason than race would still be a rare occurrence.

The author suggests that national security interests and a declaration of war tend to override constitutional protection. This comment explores the constitutionality of racial measures adopted in time of war or national emergency. In four parts, the author discusses: 1) the history of racial profiling in the United States during and since World War II; 2) political pressure and the current legal standards on racial profiling in light of September 11th; 3) whether the two standards of national security requirements and constitutional protection for racially profiled Arabs can be accomplished yet not give the government a free pass to target them just because it sees fit; and 4) his conclusions and concerns regarding this subject.

Brader concludes that "equal protection jurisprudence will invalidate the racial methods through the narrow tailoring requirement, even during

wartime." He also states that racial discrimination is alive and well in the United States. War gives such profiling an opportunity to be activated and to proceed unchecked. Americans are willing to engage in racial profiling because of their fears of terrorists attacks. The author warns that we need to be careful of the reasons that we use to allow this profiling to take place.

Shortnacy, Michael B. "Guilty and Gay, a Recipe for Execution in American Courtrooms: Sexual Orientation as a Tool for Prosecutorial Misconduct in Death Penalty Cases." 51 American University Law Review 309 (December 2001).

Homosexual people are becoming an increasingly well-organized and visible minority in the United States. There has been a dramatic increase in the number of same-sex partner households according to the U.S. Census Bureau. Social acceptance of gays and their lifestyles is steadily increasing along with their visibility in the community. Yet, November 2000 elections saw the voters pass laws to prohibit same-sex marriages as well as the repeal of nondiscrimination statutes that included homosexuals.

Homosexuals face growing hostility nationwide, and the nation's courtrooms are no exception. Lawyers, judges, and court personnel often express homophobic attitudes despite the canons of ethics and local court rules that they are required to follow. Gay defendants often receive the death penalty as opposed to a life sentence simply because of their status as homosexuals. Prosecutors make calculated decisions on when to introduce evidence of a defendant's sexual preference. This evidence often comes out in the sentencing phase of a trial and is evidence that has previously not been disclosed in the guilt or innocence phase of

the trial.

The author examines this issue in four parts: 1) exploration of the institutionalization of homophobia in the legal system; 2) discusses four cases that show the homophobic bias in death penalty cases in which being homosexual had nothing to do with the crime committed; 3) argues that prosecutorial misconduct review that federal courts use inadequately protects the homosexual criminal defendants; and 4) strongly argues that a defendant's sexual orientation should never even be considered when the state is imposing the ultimate penalty which is death.

Shortnacy focuses on two studies by judicial councils and local bar associations in California and Arizona concerning the bias against homosexual within their own court systems. The studies overwhelmingly concluded that homosexuals face widespread and rampant prejudice in these systems whether they are court employees, attorneys, jurors, court users, or criminal defendants. The California study of January 2000. Sexual Orientation Fairness Subcommittee of the Access and Fairness Advisory Committee of the Judicial Council of California is the most comprehensive of the two. The subcommittee received feedback from five focus groups that were made up of attorneys in San Jose, San Francisco, San Diego, Sacramento, and Los Angeles. Surveys were also sent to gay and lesbian court users and court employees.

The study found that there is a great deal of hostility and bias that is "deeply ingrained in the courtroom culture." Many court employees who witness bias either fail to act or ignore the offending behavior. The California study also revealed that the hostile environment for defendants also extends to court employees making for a hostile workplace.

The Arizona Study which was commissioned by the State Bar of Arizona Board of Governors

established a Gay and Lesbian Task Force in 1997. In 1999, the board created a standing committee on Sexual Orientation and Gender Identity. The committee surveyed Arizona judges, attorneys, law students, and members of the gay and lesbian community. Seventyseven percent of the judges and attorneys reported that they had heard disparaging remarks about gays and lesbians. Forty-seven percent of them reported that these remarks were witnessed in the public spaces of the courthouse. Twentynine percent of the gay and lesbian employees reported disparaging or negative remarks that they had heard around the courthouse. Thirteen percent observed, in open court, negative treatment by judges toward those that were perceived to be gay or lesbian. Surprisingly, sixty percent of the judges and twenty-one percent of the attorneys stated that they had no knowledge of statutes or case law prohibiting this kind of discrimination on the basis of sexual orientation. This Arizona Study also revealed that the state's law schools are a hostile environment for homosexuals.

The author concludes that there are three categories of bias: 1) normative bias where feelings against certain sexual orientations are injected into proceedings in which this should not be relevant; 2) positive bias occurs when a "judicial actor's assumptions" lead them to describe a gay or lesbian litigant inaccurately by using stereotypes and popular misconceptions; and 3) disrespectful references occur when the judicial actors broadcast their own bias by their words and actions. He also states that the standard for review of prosecutorial misconduct is inadequate and does not protect criminal defendants sufficiently.

Their goal in revealing the defendant's sexual orientation in the sentencing phase is to appeal to the prejudices of the jury. The U.S. Supreme Court in *Donnelly v DeChristoforo* established the standard of review by stating that the "prejudicial prosecutorial remarks"

must be viewed in the context of the entire trial and must show sufficient prejudice as to deny the defendant due process of law. This standard is fundamentally flawed in that it offers little help to defendants who have been convicted on overwhelming evidence of guilt. Several federal courts have held that biased comments (race, ethnicity, religion, and sexual orientation) introduced, that were not previously disclosed as evidence by the prosecutor in the sentencing phase, should constitute reversible error and the defendant should be granted a new sentencing hearing. As the nation seems poised to reconsider the application of the death penalty, we should also be looking at sexual orientation bias in our courtrooms and in the court system as a whole.

Recently Received Books

A Judge's Deskbook on the Basic Philosophies and Methods of Science State Justice Institute Ct. Admin. KF276 .S934 1999

An Approach to Long Range Strategic Planning for the Courts: Training Guide State Justice Institute Ct. Admin. KF8732 .A661 1992

Baggott, Thomas
Cultivating Effective Lawyer-Juror
Relationships: Understanding the
Process
Lawyers & Judges Publishing Co.
KF8915 .B324 1999

Barnett, Peter Res Judicata, Estoppel, and Foreign Judgments

Oxford KD7121 .B37 2001

Behind Closed Doors: A Resource Manual to Improve Jury Deliberations American Judicature Society Ct. Admin. KF8972 .B44 1999

Belknap, Michal R.

To Improve Administration of

Justice: A History of the American Judicature Society American Judicature Society Ct. Admin. KF294.A4 A516 1992

Boatright, Robert G.

Improving Citizen Response to Jury
Summonses.

American Judicature Society

Brenner, Saul Stare Indecisis: The Alteration of Precedent on the Supreme Court, 1946-1992

Ct. Admin. KF8972 .B63 1998

Cambridge University Press Ct. Admin. KF429 .S68 1995

Brodhead, Michael J.

David J. Brewer: The Life of a

Supreme Court Justice, 1837-1910

Southern Illinois University Press

Ct. Admin. KF8745.B7 B76 1994

Brownfields: A Comprehensive Guide to Redeveloping Contaminated Property, 2nd ed. ABA

HD257.5 .B75 2002

Burton, Angela O.

Manhattan Criminal Arraignment
Study
Vera Institute
Ct. Admin. KFX2018.4 .B87 1995

Dees, Morris.

A Lawyer's Journey: The Morris Dees
Story
ABA
KF373.D43 A3 2001

Dewar, Robert E. *Human Factors in Traffic Safety* Lawyers & Judges Publishing Co. HE5614.2 .H86 2002

Diamond, Paul S.
Federal Grand Jury Practice and
Procedure, 4th ed.
Anderson Publishing
KF9642 .D53 2001

The Directory of Minority Judges of the United States, 3rd ed. ABA

Ct. Admin. KF8700.A19 D573 2001

Dombroff, Mark A.

Evaluating and Reserving Wrongful Death and Personal Injury Cases Lawyers & Judges Publishing Co. KF8925.P4 D66 2000

Early Intervention Mediation
State Justice Institute
Ct. Admin. KFO100 .Z83 1999

Educating the Public About the Law: Guide for Individual Lawyers ABA Plaza KF387 .E48 2001

Effective Use of Courtroom Technology: A Lawyer's Guide to Pretrial and Trial National Institute for Trial Advocacy Ct. Admin. KF8915.Z9 E44 2002

Esterling, Kevin M.
Judicial Independence Public
Confidence in Courts, and StateFederal Cooperation in the Midwest
American Judicature Society
Ct. Admin. KF8700.Z9 M53 1997

European Case Law on the Judgments Convention Wiley KJC3795 .E93 1998

Evaluation of Treatment-based Drug Courts in Florida's First Judicial Circuit State Justice Institute Ct. Admin. KFF514.D7 F6 1998

Favre, David. *Animal Law & Dog Behavior*Lawyers & Judges Publishing Co. KF390.5.D6 F38 1999

Federal Criminal Procedure Litigation Manual Anderson Publishing KF9619 .F43

Gerber, Scott Douglas.

First Principles: The Jurisprudence of
Clarence Thomas
New York University Press
Ct. Admin. KF8745.T48 G47 1999

Glennon, John C. Roadway Defects and Tort Liability Lawyers & Judges Publishing Co. KF1325.T7 G58 1996 Goldschmidt, Jona Judicial Settlement Ethics: Judges' Guide American Judicature Society Ct. Admin. KF9084 .G655 1996

Gray, Cynthia

An Ethics Guide for Part-time

Lawyer Judges

American Judicature Society

Ct. Admin. KF8779.Z9 G73 1999

Gugin, Linda C. Sherman Minton: New Deal Senator, Cold War Justice Indiana Historical Society Ct. Admin. KF8745.M54 G84 1997

Implementing an Integrated
Domestic Violence Court: Systemic
Change in the District of Columbia
State Justice Institute
Ct. Admin. KFD1767.F35 S74 2000

Jeffries, Jr., John C. Justice Lewis F. Powell, Jr.: A Biography Fordham University Press Ct. Admin. KF8745.P69 J44 2001

Judicial Reform in the States University Press of America Ct. Admin. KF8785 .J83 1993

Jurors: The Power of 12 Arizona Supreme Court KFA2942 .A96 1994

Kaplan, Ellen M.

Blueprint for the Future of Judicial
Selection Reform
Pennsylvanians for Modern Courts
Ct. Admin. KFP525.5.N6 K3 1999

Kirsch, Clifford E.

Mutual Fund Regulation
PLI
KF1078 .M88

Kouzes, James M. Credibility: How Leaders Gain and Lose It, Why People Demand It Jossey-Bass HD57.7 .K678 1993

Kurland, Adam Harris Successive Criminal Prosecutions: The Dual Sovereignty Exception to Double Jeopardy in State and Federal Courts ABA KF9640 .K87 2001

Lachman, Beth E. Lessons for the Global Spatial Data Infrastructure: International Case Study Analysis Rand G70.212 .L47 2002

Law & The Courts: Juries, v. III ABA Plaza KF8841 .L33 1998

Lee, Henry C.

Physical Evidence in Forensic

Science

Lawyers & Judges Publishing Co.

HV8073 .L39 2000

Malleson, Kate
The New Judiciary: The Effects of
Expansion and Activism
Ashgate
Ct. Admin. KD7285 .M35 1999

Maltese, John Anthony
The Selling of Supreme Court
Nominees
Johns Hopkins University Press
Ct. Admin. KF8742 .M315 1998

Maltzman, Forrest
Crafting Law on the Supreme Court:
The Collegial Game
Cambridge University Press
Ct. Admin. KF8748 .M28 2000

Mandelker, Daniel R.
Protecting Free Speech and
Expression: The First Amendment
and Land Use Law
ABA
KF5698 .P76 2001

The "Manifest Intent" Handbook ABA KF1225 .M36 2002

Meyer, Bernard S. Judicial Retirement Laws of the Fifty States and the District of Columbia Fordham University Press Ct. Admin. KF8776 .M49 1999

Mezzullo, Louis A. An Estate Planner's Guide to Qualified Retirement Plan Benefits, 3rd ed. ABA KF3512.Z M49 2002

Munneke, Gary A.

The Legal Career Guide: From Law
Student to Lawyer, 4th ed.
ABA
KF297 .M86 2002

The New Hedonics Primer for Economists and Attorneys. 2nd ed. Lawyers & Judges Publishing Co. KF1257 .H35 1996

Newman, Roger K. *Hugo Black: A Biography* Fordham University Press Ct. Admin. KF8745.B55 N49 1997

Nursing Home Litigation: Investigation and Case Preparation Lawyers & Judges Publishing Co. KF3826.N8 N864 1999

O'Donnell, James T.

Drug Injury: Liability, Analysis and
Prevention
Lawyers & Judges Publishing Co.
KF1297.D7 O36 2001

Pohl, Amelia E. When Someone Dies in Arizona Eagle Publishing KFA2540 .P64 2000

Poll, Edward Attorney and Law Firm Guide to The Business of Law: Planning and Operating for Survival and Growth, 2nd ed. ABA KF315.Z9 P64 2002

Posner, Richard A.

Cardozo: A Study in Reputation
University of Chicago Press
Ct. Admin. KF8745.C3 P64 1993

Powers, Deborah D.
The Court of Appeals at Austin, 18921992
State House Press
Ct. Admin. KFT1714.T47 P68 1992

Public Information Provision in the Digital Age: Implementation and Effects of the US Freedom of Information Act Rand KF5753.A315 P8 2001

Randall, Kerry
Effective Yellow Pages Advertising
for Lawyers: The Complete Guide
to Creating Winning Ads
ABA
KF310.A3 R36 2002

Reville, Robert T. Trends in Earnings Loss from Disabling Workplace Injuries in California Rand KFC592 .R48 2002

Rice, Paul R.

Best-Kept Secrets of Evidence Law

Anderson Publishing

KF8935 .R49 2001

Ross, Richard

A Day in Part 15: Law and Order in
Family Court
Four Walls Eight Windows
Ct. Admin. KFN5116.5.Z9 R67
1997

Rowland, C.K. Politics and Judgment in Federal District Courts University Press of Kansas Ct. Admin. KF8754 .R69 1996

Sampson, Kathleen M.
A National Symposium on
Sentencing: The Judicial Response
to Crime, Report and Policy Guide
American Judicature Society
Ct. Admin. KF9685.A75 S25 1998

Schonlau, Matthias Conducting Research Surveys via E-mail and the Web Rand HM538 .S36 2001

Sheldon, Charles H.
Choosing Justice: The Recruitment
of State and Federal Judges
Washington State University Press
Ct. Admin. KF8776 .S5 1997

Sheldon, Charles H.
The Washington High Bench: A
Biographical History of the State
Supreme Court, 1889-1991
Washington State University Press

Ct. Admin. KFW512 .S54 1992

Sikora, Frank
The Judge: The Life and Opinions of
Alabama's Frank M. Johnson, Jr.
Black Belt Press
Ct. Admin. KF373.J55 S55 1992

Simon, William H.

The Community Economic
Development Movement
Duke University Press
HN90.C6 S55 2001

Smith, Christopher E.
The Real Clarence Thomas:
Confirmation Veracity Meets
Performance Reality
Peter Lang
Ct. Admin. KF8745.T48 S63 2000

Smith, Jean Edward John Marshall: Definer of a Nation Henry Holt and Company Ct. Admin. KF8745.M3 S63 1998

State Documents Bibliography: Maryland AALL Z1233.5.M3 T39 1996

State Documents Bibliography: Nevada AALL Z1233.5.N3 J37 2000

State Documents Bibliography: Washington AALL Z1233.5.W2 B87 1997

Steinfeld, Shayna M.

The Family Lawyer's Guide to
Bankruptcy
ABA
KF1535.D58 S74 2002

Synthetic Lease Financing: Keeping Debt Off the Balance Sheet ABA KF593.C6 S98 2002

Telling Our Stories from Juvenile Court National Council of Juvenile and Family Court Judges Ref. Desk HV9069 .T44

Tobin, Robert W.

*Trial Court Budgeting*National Center for State Courts
Ct. Admin. KF8732.5 .T6 1996

Trial Court Personnel Management Guide National Center for State Courts Ct. Admin. KF8770 .T75 1993

United States Law of Trade and Investment Rothman KF889 .U55 2001

Vieira, Norman Supreme Court Appointments: Judge Bork and the Politicization of Senate Confirmations Southern Illinois University Press Ct. Admin. KF8742 .V54 1998

Walker, Jeffrey T. Statistics in Criminal Justice: Analysis and Interpretation Aspen HV7415 .W33 1999

Weissenberger, Glen Weissenberger's Federal Evidence, 4th Anderson Publishing KF8935 .W42 2001

When Judges Speak Up: Ethics, the Public and the Media (video recording)
State Justice Institute
Ct. Admin. KF8779.Z9 G73 1998

Youth Court Training Package ABA Ct. Admin. KF8795 .Y68 2001

' Recent Articles:

CRIMINAL JUSTICE

Acklin, Jill M. "Choosing Life: Proposing Immunity for Mothers Who Abandon Their Newborns." 35 Indiana Law Review 569 (2002).

Armas, Genaro C. "Growth of Prison Numbers Slows." *East Valley Tribune* A11 (April 22, 2002).

Chin, Gabriel J. and Richard W. Holmes, Jr. "Effective Assistance of

Counsel and the Consequences of Guilty Pleas." 87 *Cornell Law Review* 697 (March 2002).

Cloud, Morgan, George B. Shepard, et. al. "Words Without Meaning: The Constitution, Confessions, and Mentally Retarded Suspects." 69 *University of Chicago Law Review* 495 (Spring 2002).

Doolan, Jr., Devin J. "Community Prosecution: A Revolution in Crime Fighting." 51 *Catholic University Law Review* 547 (Spring 2002).

Farrell, Rebecca L. "Advocacy, Justice, and Prosecutorial Misconduct: The Death of the Prosecutor's Reasonable Inference on Credibility Issues." 41 Washburn Law Journal 299 (Winter 2002).

Glionna, John M. "Investing in Ex-Cons Makes Program Work." *Arizona Republic* A16 (April 28, 2002).

Greenhouse, Linda. "Laws on Sex Offender Lists to Get Further Look." *New York Times* A14 (May 21, 2002).

Ingle, Meghan Paulk. "Law on the Rocks: The Intoxication Defenses Are Being Eighty-Sixed." 55 *Vanderbilt Law Review* 607 (March 2002).

Ioffee, Karina. "Women Inmates Get Reading Help." *Arizona Republic* B5 (May 7, 2002).

Kader, David and Tara Stromberg. "Uncommon Knowledge: More Arizona Clemency History." *The Defender* 7 (April 2002).

Lewis, Neil A. "Justice Department Opposes Lower Jail Terms for Crack: Aides Cite Small Disparity Against Powder." *New York Times* A20 (March 20, 2002).

McGrath, Michael G. and Eoghan Casey. "Forensic Psychiatry and the Internet: Practical Perspectives on Sexual Predators and Obsessional Harassers in Cyberspace." 30 Journal of the American Academy of Psychiatry and the Law 81 (2002).

Miller, Carlos. "Arpaio to Start Net 'Crime of Week'." *Arizona Republic* B8 (April 30, 2002).

"Prisons' Growth Slowest in 30 Years." *Arizona Republic* A9 (April 11, 2002).

Romo, Cheryl. "Batterer Counseling Decreases Recidivism Rates, Study Finds." 115 Los Angeles Daily Journal 1 (May 24, 2002).

Salemi, Michael G. "DUI as a Crime of Violence Under 18 U.S.C. 16(b); Does a Drunk Driver Risk Using Force?" 33 Loyola University Chicago Law Journal 691 (Spring 2002).

Sechel, Scott C. "Deadly Trends in Scottsdale; Domestic Violence Report Rising." *East Valley Tribune* A1 (May 20, 2002).

Simmons, Ric. "Re-Examining the Grand Jury: Is There Room for Democracy in the Criminal Justice System?" 82 Boston University Law Review 1 (February 2002).

"The Special Needs Exception to the Fourth Amendment and How It Applies to Government Drug Testing of Pregnant Women: The Supreme Court Clarifies Where the Lines Are Drawn in Ferguson v. City of Charleston." 35 Creighton Law Review 857 (April 2002).

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